



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 5, 1998

Ms. E. Cary Grace
Assistant City Attorney
City of Houston
P.O. Box 1562
Houston, Texas 77251-1562

OR98-1841

Dear Ms. Grace:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 117357.

The City of Houston Police Department (the "city") has received a request for a copy of a suicide note it obtained in investigating an attempted suicide. We have considered the exception you claim and have reviewed the documents at issue.

You argue that section 552.101 of the Open Records Act, which prohibits public disclosure of information made confidential by constitutional or statutory law or by judicial decision, applies to the suicide note at issue here. We agree. *See* Open Records Decision No. 422 (1984) (information regarding attempted suicide is highly intimate and embarrassing, and, since attempted suicide is not a crime, there is presumably no public interest in disclosure). We also agree that the provisions of section 552.023 of the act, giving a special right of access to a person to materials which that person's privacy interests protect from public disclosure, do not apply here, since it is not the requestor's privacy interests, but rather those of the one who attempted suicide, which we find restrict public disclosure of the note at issue here. Therefore you should withhold the requested information.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous

determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "William Walker", with a stylized, flowing script.

William Walker
Assistant Attorney General
Open Records Division

WMW/RHS/ch

Ref: ID# 117357

Enclosures: Submitted documents

cc: Ms. Nadine Cantu
417 Naples
Corpus Christi, Texas 78404
(w/o enclosures)